

# State of Vermont

Dept of Buildings & General Svcs  
Purchasing & Contract Admin  
1078 US Rte 2 - Middlesex  
Montpelier VT 05633-7601  
USA

## CONTRACT



**Vendor ID 0000162946**  
**Ferguson Waterworks - Red Hed**  
**429 Troy Ave**  
**Colchester VT 05446**  
**USA**

|   |                                    |   |
|---|------------------------------------|---|
| <b>Contract ID</b><br>000000000000000000009996    |                                    | <b>Page</b><br>1 of 2                   |
| <b>Contract Dates</b><br>06/01/2006 to 12/31/2008 |                                    | <b>Origin</b><br>CPS                    |
| <b>Description:</b><br>CPS HDPE CULVERT PIPE      |                                    | <b>Contract Maximum</b><br>\$999,999.00 |
| <b>Buyer Name</b><br>Pierce, Robert Jr.           | <b>Buyer Phone</b><br>802/828-2215 | <b>Contract Status</b><br>Approved      |

**Phone #:**

| Line # | Item ID | Item Desc                   | UOM | Unit Price | Max Qty | Max Amt    |
|--------|---------|-----------------------------|-----|------------|---------|------------|
| 1      |         | HDPE SILT TYPE CULVERT PIPE | EA  | 1.00000    | 0.00    | 999,999.00 |

### CONTRACT TERMS AND ADDITIONAL INFORMATION

CONTRACT PERIOD: JUNE 1, 2006 TO DECEMBER 31, 2007

SCOPE: CONTRACTOR WILL PROVIDE HDPE SILT-TIGHT, LEAK RESISTANT CULVERT AND ACCESSORIES AS SPECIFIED. PRICES ARE TO REMAIN FIRM THROUGHOUT THE CONTRACT PERIOD.

TRANSPORTATION CHARGES: PRICES WILL BE F.O.B. DELIVERED FREE OF ANY ADDITIONAL TRANSPORTATION CHARGES ON ORDER OF \$500.00 OR MORE. SMALLER ORDERS WILL BE SUBJECT TO A \$50.00 TRANSPORTATION CHARGE.

DELIVERY TIME: WITHIN 15 CALENDAR DAYS.

CONTRACT EXTENSION: THE STATE RESERVES THE RIGHT TO EXTEND THIS CONTRACT FOR UP TO TWO (2) ADDITIONAL YEARS GIVEN CONSISTENT PRICING, TERMS AND CONDITIONS.

SPECIFICATIONS: THE SUPPLIER WARRANTS THAT THE CULVERT SUPPLIED UNDER CONTRACT IS RATED FOR H-25 LOADING AND MEETS AASHTO M252, M294-97 AND MP7-97 FOR APPROPRIATE DIAMETERS OF TYPE S HIGH DENSITY POLYETHYLENE PIPE WITH SMOOTH WALL INTERIOR AND CORRUGATED EXTERIOR. EACH 20' LENGTH IS TO HAVE AN INTEGRAL BELL-AND-SPIGOT ASTM F477 RUBBER GASKETED JOINING SYSTEM. LENGTHS REFER TO STANDARD, NOT LAY LENGTHS. GASKETS ARE TO BE INSTALLED BY THE MANUFACTURER AND COVERED WITH A REMOVABLE WRAP TO PROTECT AGAINST DEBRIS UNTIL USE. MANUFACTURER APPROVED COUPLER FOR USE IN JOINING CUT PIPE WILL ALSO MEET F477 JOINT PERFORMANCE SPECIFICATIONS. PRICES ARE REQUESTED ON PRODUCTS MEETING ASTM RESIN REQUIREMENTS. ALTERNATE PRICES ARE REQUESTED ON PRODUCTS HAVING A RECYCLED CONTENT; OTHERWISE, MEETING THE ABOVE SPECIFICATIONS, ECO FIRST OR EQUIVALENT.

PRICING: LINEAL FOOT AND EACH PRICES ARE TO BE SUBMITTED ON THE ATTACHED QUOTATION FORM FOR ALL ITEMS INCLUDING THOSE WITHOUT QUANTITIES. ACCESSORY USAGE QUANTITIES REFER TO ALL PIPE SIZES.

ATTACHMENT: PURCHASING AND CONTRACT ADMINISTRATION TERMS AND CONDITIONS DATED 11/01/04 ARE ATTACHED AND INCORPORATED AS PART OF THIS CONTRACT.

QUANTITY: QUANTITIES ARE ESTIMATED ONLY BASED ON PRIOR USAGE AND MAY BE INCREASED OR DECREASED TO MEET ACTUAL REQUIREMENTS.

METHOD OF ORDERING: PURCHASE ORDERS MUST BE USED TO ORDER ITEMS AVAILABLE UNDER THIS CONTRACT. IF VERBAL ORDERS ARE GIVEN A CONFIRMING PURCHASE ORDER MUST BE ISSUED.

CANCELLATION: THE STATE SPECIFICALLY RESERVES THE RIGHT TO CANCEL THE CONTRACT OR ANY PORTION THEREOF PROVIDING, IN THE OPINION OF ITS COMMISSIONER OF BUILDINGS AND GENERAL SERVICES, THE SERVICES OR MATERIALS SUPPLIED BY THE CONTRACTOR ARE NOT SATISFACTORY OR CONSISTENT WITH THE TERMS OF THE CONTRACT.

DELIVERY: SHIPMENTS SHALL BE SECURELY AND PROPERLY PACKED, ACCORDING TO ACCEPTED COMMERCIAL PRACTICE. DELIVERIES, WHICH DO NOT CONFORM TO THE SPECIFICATIONS OR ARE NOT IN GOOD CONDITION UPON RECEIPT, SHALL BE REPLACED PROMPTLY BY THE CONTRACTOR.

INVOICING: ALL INVOICES ARE TO BE RENDERED BY THE CONTRACTOR IN DUPLICATE ON THE VENDOR S STANDARD BILLHEAD AND FORWARDED DIRECTLY TO THE INSTITUTION OR AGENCY ORDERING MATERIALS OR SERVICES.

DEFAULT: IN CASE OF DEFAULT OF THE CONTRACTOR, THE STATE MAY PROCURE THE MATERIALS OR SUPPLIES FROM OTHER SOURCES AND HOLD THE CONTRACTOR RESPONSIBLE FOR ANY EXCESS COST OCCASIONED THEREBY, PROVIDED, THAT IF PUBLIC NECESSITY REQUIRES THE USE OF MATERIALS OR SUPPLIES NOT CONFORMING TO THE SPECIFICATIONS THEY MAY BE ACCEPTED AND PAYMENT THEREFORE SHALL BE MADE AT A PROPER REDUCTION IN PRICE.

POLITICAL SUBDIVISIONS AND INDEPENDENT COLLEGES OF THE STATE MAY PARTICIPATE IN THIS CONTRACT AT THE SAME PRICES, TERMS AND CONDITIONS. ITEMS FURNISHED TO POLITICAL SUBDIVISIONS AND INDEPENDENT COLLEGES WILL BE BILLED DIRECTLY TO AND PAID FOR BY THE POLITICAL SUBDIVISIONS OR INDEPENDENT COLLEGES AND NEITHER THE STATE NOR ITS COMMISSIONER OF BUILDINGS & GENERAL SERVICES PERSONALLY OR OFFICIALLY ASSUMES ANY RESPONSIBILITY.

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IF YOU HAVE ANY QUESTIONS REGARDING THIS DOCUMENT PLEASE CONTACT:

ROBERT PIERCE  
SENIOR PURCHASING AGENT  
802-828-2215  
FAX 802-828-1075  
robert.pierce@state.vt.us

AMENDMENT #1: ISSUED TO EXTEND CONTRACT PERIOD TO DECEMBER 31, 2008 WHICH REPRESENTS YEAR 1 OF A 2 YEAR RENEWAL OPTION.

ALL OTHER PRICING, TERMS AND CONDITIONS REMAIN THE SAME.

TERMS AND CONDITIONS: Purchasing and Contract Administration Terms and Conditions dated November 1, 2004 have been superseded by Purchasing and Contract Administration Terms and Conditions dated January 1, 2007 and are hereby incorporated as part of this contract.

**WE THE UNDERSIGNED PARTIES AGREE TO BE BOUND BY THIS CONTRACT**

**By the STATE of VERMONT**

**By the CONTRACTOR**

Date: \_\_\_\_\_

Date: \_\_\_\_\_

Signature: \_\_\_\_\_

Signature: \_\_\_\_\_

Name: \_\_\_\_\_

Name: \_\_\_\_\_

Fed ID or SSN: \_\_\_\_\_

Title: \_\_\_\_\_

Title: \_\_\_\_\_

Email: \_\_\_\_\_

Email: \_\_\_\_\_